IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 20TH JUNE 2007 / 30TH JYAISHTA 1929

WP(C).No. 18837 of 2007(P)

PETITIONER:

K.C.CHANDRAN,
S/O.LATE K.KUJAN, KOLLAMADUKUDIYIL,
KOONATHARA, OTTAPALAM TALUK, PALAKKAD DISTRICT.

BY ADV. SRI.H.BADARUDDIN

RESPONDENTS:

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1. KERALA FINANCIAL CORPORATION,
REP.BY ITS MANAGING DIRCTOR,
THIRUVANANTHAPURAM.

2. KERALA FINANCIAL CORPORATION,
REP.BY ITS BRANCH MANAGER,
PALAKKAD.

3. DEPUTY TAHASILDAR(RR),
KERALA FINANCIAL CORPORATION,
KMM COMPLEX, KOKKALAI, THRISSUR.

4. DEPUTY TAHASILDAR(RR),
KERALA FINANCIAL CORPORATION,
PALAKKAD.

5. THE VILLAGE OFFICER,
VANIYAMKULAM-I,
OTTAPPALAM TALUK, PALAKKAD.

BY ADV. SRI.T.V.GEORGE, SC, KFC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 20/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.18837 of 2007

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Dated this the 20th day of June, 2007.

JUDGMENT

Since the prayer is only for grant of OTS benefit, W.P. is disposed of directing the petitioner to deposit 10% of the outstanding as of now before second respondent and make an application for OTS benefit. If application for OTS is made along with payment, first respondent will grant incentives under the current OTS scheme or if OTS is not presently available, the incentives as per the last OTS scheme and demand interest for the period subsequent to last date for payment provided under the last OTS scheme till date of payment. However, if payment of 10% is not made, respondents are free to proceed with recovery. If payment is made and OTS application is filed, then recovery should be made only if there is default in making payment under the OTS scheme granted by the KFC.

C.N.RAMACHANDRAN NAIR
Judge

pms